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JAMES PATTERSON, President

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THE WEEKLY.

One year, postage paid..... \$1.00
Six months..... .60
All business or news letters or telegrams should be addressed
POST-DISPATCH,
215 and 217 Market street.

TUESDAY, JUNE 20, 1893.

Subscribers to the Post-Dispatch, who contemplate leaving the city during the summer, will receive their paper as usual if they will leave the new address at this office or give it to the carrier.

This is a day for walking, and in Chicago the residents of the West are walking instead of riding in cars. Curiously enough, it is the driver who have struck, not the passengers.

COLLECTOR SEXTON requests us to say, with reference to the protest against the erection of a saloon in block 500, that no license will be granted unless the application is indorsed by a majority of the resident tax-payers of the block.

An attempt to play a Sunday game of base ball at Kenosha was thwarted by the police under the Sunday law. If the people of Kenosha never do anything more wicked than play base ball on Sunday we do not understand what need they have of police.

The opposition to meat inspection is the very strongest argument in favor of enforcing it. The people who are working the "infamous" dodge on the House of Delegates to prevent inspection would have no objection to it whatever if it did not interfere with a business which has no right to exist.

An item of news in one of the morning papers says that at the County Poor Asylum, near Vincennes, a middle-aged inmate named STEVENS, who had been "distressingly stupid" for years, was converted into a condition of ordinary intelligence by a cuff on the ear. We try to commend this little story to the careful perusal of the owners of the Republic.

The rumor that our Government will resist Austria's rejection of KILLEY by leaving the Austrian mission vacant can hardly be true, unless the Italian mission is also to be left vacant for the same reason. It would never do to say "KILLEY or nobody" to Austria, when we have permitted Italy to reject him.

If we should adopt the policy of discontinuing diplomatic intercourse with all nations that object to KILLEY, we might save a good deal of money that is now uselessly squandered, but nobody supposes that the Administration is quite ready to deprive itself and its friends of those nice little incomes, the foreign missions.

MINNESOTA, Michigan, New Jersey and Pennsylvania followed the example of New York in enacting laws prohibiting the manufacture of oleomargarine or butterine, and the decision of the New York Court of Appeals pronouncing the law unconstitutional will hasten the institution of proceedings to test the validity of the law in the other States. If the oleomargarine folks win elsewhere as they have won in New York, the power of the State Legislature to regulate the counterfeit butter business will be restricted to some such legislation as we have in Missouri, permitting the sale of any compound, as a substitute for butter, provided it is labeled and sold under its own proper name, and not as butter. This, as has been demonstrated, both in New York and Missouri, will amount to very little in the way of restraint upon the sale of the counterfeit as the genuine article. That is what is manufactured for, and experience so far has shown that, like counterfeiters of money, the counterfeiters of butter can be checked only by making the manufacture of the counterfeit article a crime. If a State cannot prohibit the manufacture of counterfeit butter, and decide for itself whether such manufacture is a menace to public health or not, it is absurd to claim that a State can prohibit the manufacture or sale of whiskey, wine and beer. The validity of such prohibitory legislation has been affirmed so often by tribunals of the last resort, State and National, that the recent New York decision seems to stand alone, a surprising exception to the rule.

ELKINS writes to Land Commissioner SPARKS protesting against being officially referred to as the "alleged owner" of the Maxwell grant. Mr. ELKINS carefully explains that he had no interest in that grant except as an attorney for other parties, and as the brother of the man who conveyed it with a gun-elastic chain. How the survey came to be retched so as to steal millions of acres from the United States Government, Mr. ELKINS does not attempt to explain, but admits that he acted as attorney in procuring patents for the fraudulent survey made by his brother. The opinions of GEORGE T. CURTIS, Mr. ELKINS, Mr. RAYMOND and others, which he cites as pronouncing in favor of the validity of the original grant, and as having been used in getting Secretary SCHREVE to issue the patents for the stolen land, do not relate at all to the stolen land. The validity of the grant is not disputed, and when Mr. ELKINS writes to inform the public that he is the owner of the grant, but only a

stockholder and director in the Maxwell Land Grant Company, and its attorney in getting the fraudulent survey made by his brother, and patented by Mr. SCHREVE, we do not see that he is pointing out the villainous transaction or vindicting his connection with it by simply denying that he was ever technically the owner of the grant, and asserting that he is not interested in the result of the suit for the recovery of the fraudulently obtained patents. He could a far more interesting tale unfold by telling us just how much of his great fortune is to be credited to the success with which he and his brother managed that big land steal while they were both in the pay of the United States, and at the same time acting as attorneys for other parties.

OFFICIALS ABOVE THE LAW.

No decision of the Supreme Court and not even a written opinion from the Attorney-General has yet been produced to justify the action of the State officers in refusing to obey the positive mandates of the Constitution and the statutes in regard to the equalization of property assessments among the several counties. But it is getting to be generally understood that Lord Chief-Justice MICKELTHWAIT is a member of the State Board, and that, as an authority on great Constitutional and legal questions, he stands higher in the esteem of his colleagues than Attorney-Generals or Supreme Court Justices.

The functions of the latter are of such a subordinate character that they are understood to be bound by the law as it is written, and to interpret it according to its obvious intent and meaning, whereas Lord Chief-Justice MICKELTHWAIT can brush away all such cobwebs and evolve higher laws and rules for the Board from the inspirations of his own inner consciousness as a jurist and statesman.

The Constitution of Missouri commands the State Board to see that all property subject to taxation is assessed for taxation according to its value, but it is not done because Lord Chief-Justice MICKELTHWAIT holds that the assessment of railroad property in Missouri must be according to the assessment of such property in other States, and not according to the law of this State. Therefore the Board assesses railroads at about one-fifth of their value some years, and some years lets them escape altogether, as in 1891.

The statutes positively and minutely direct the State Board to ascertain the true value of real and personal property in the several counties, and to equalize the assessment according to value by diminishing the valuations where the local assessors have put it too high or raising it where they have put it too low. But this positive mandate of the law is persistently disobeyed by the Board, because Lord Chief-Justice MICKELTHWAIT has decided that equalization is not a good thing, and that no State law should be regarded or enforced which would prevent one county from paying taxes on the full value of its property while another pays taxes on but a fourth of its worth.

So the theory of the State Board is that it is there for nothing under the sun but to assess the value of railroad property at a very low figure and see that the same shall not be taxed at a higher value than the local taxing power anywhere. Local assessors are allowed by the State Board to assess all other property for State or local taxation as high or as low as they please. But they must not presume to value the local property of any railroad. The State Board of Equalization is alone competent to do that, and that is all it does as a State Board of Equalization. Once in a while it forgets to assess the railroads, and they are thus released from the payment of some \$400,000 of State and local taxes. It is a great thing for the rich corporations to have a State Board of Equalization that is a law unto itself.

With a view of saving the Globe-Democrat the trouble of sending to New York for news which has already been published in St. Louis, we take the liberty of calling the attention of our esteemed contemporary to the following duplicated-column collection of an item of news as it appeared in the Post-Dispatch yesterday evening and in the Globe-Democrat this morning:

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